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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,460	07/08/2003	Jeff Abel	13.001.CON	1046
22147	7590	06/28/2007	EXAMINER	
DAVID R. MCKINNEY, P.C. P.O. BOX 1460 SANDY, UT 84091			ART UNIT	PAPER NUMBER

DATE MAILED: 06/28/2007

Please find below and/or attached an Office communication concerning this application or proceeding.



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# Fax Cover Sheet

**Date:** 12 Jun 2007

<b>To:</b>	<b>From:</b> David J. Parsley
<b>Application/Control Number:</b> 10/616,460	<b>Art Unit:</b> 3643
<b>Fax No.:</b>	<b>Phone No.:</b> (571) 272-6890
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☐ **Urgent**   ☐ **For Review**   ☐ **For Comment**   ☐ **For Reply**   ☐ **Per Your Request**

Comments:

**Number of pages** \_\_ **including this page**

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***Defective Appeal Brief***

1. Further, the appeal brief filed 3-27-07 is defective in that a supplemental affidavit under 37 CFR 1.132 filed 11-9-06 is filed along with the appeal brief and as seen in MPEP section 1207 a new affidavit such as the supplemental affidavit filed by appellant must be filed separately from the appeal brief.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Parsley whose telephone number is (571) 272-6890. The examiner can normally be reached on Monday-Friday from 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'D. Parsley', with a long, sweeping horizontal line extending to the right.

David Parsley  
Primary Examiner  
Art Unit 3643